

53RD REGULAR SESSION

the State, or as an appointive officer or employee of the State, for retirement benefits under either of said Systems."

Sec. 3. The Governor shall issue the necessary proclamation for said election and have the same published as required by the Constitution and laws of this State. The expenses of publication and election for such amendment shall be paid out of the proper appropriation made by law.

Passed the Senate, April 7, 1953: Yeas 26, Nays 0; passed the House,

April 29, 1953: Yeas 128, Nays 0.

Approved May 12, 1953.

CONSTITUTIONAL AMENDMENT—PAYMENTS TO NEEDY AGED,  
NEEDY BLIND AND NEEDY CHILDREN

S. J. R. No. 7

Proposing an Amendment to the Constitution of the State of Texas, amending Article III, Section 51a, providing that the Legislature shall have the power to provide assistance to and provide for the payment of same to actual bona fide citizens of Texas who are needy aged persons over the age of sixty-five (65) years, needy blind persons over the age of twenty-one (21) years, and needy children under the age of sixteen (16) years; providing for the acceptance of financial aid from the government of the United States for such assistance; providing that the payments of such assistance from State funds shall never exceed either the payments from Federal funds or a total of more than Forty-Two Million (\$42,000,000.00) Dollars per year; providing for enactment of laws to make lists of recipients of aid available for inspection; providing for the necessary election, form of ballot, proclamation, and publication, and making an appropriation to defray the necessary expenses of proclamation, publication, and holding the election.

*Be it resolved by the Legislature of the State of Texas:*

Section 1. That Section 51a of Article III of the Constitution of the State of Texas, be amended and the same is hereby amended, so that the same shall hereafter read as follows:

"Section 51a. The Legislature shall have the power, by General Laws, to provide, subject to limitations and restrictions herein contained, and such other limitations, restrictions and regulations as may by the Legislature be deemed expedient for assistance to, and for the payment of assistance to:

"(1) Needy aged persons who are actual bona fide citizens of Texas and who are over the age of sixty-five (65) years; provided that no such assistance shall be paid to any inmate of any State supported institution, while such inmate, or to any person who shall not have actually resided in Texas for at least five (5) years during the nine (9) years immediately preceding the application for such assistance and continuously for one (1) year immediately preceding such application; provided that the maximum payment per month from State funds shall not be more than Twenty (\$20.00) Dollars per month.

"(2) Needy blind persons who are actual bona fide citizens of Texas and are over the age of twenty-one (21) years; provided that no such assistance shall be paid to any inmate of any State supported institution, while such inmate, or to any person who shall not have actually resided in Texas at least five (5) years during the nine (9) years immediately preceding the application for such assistance and continuously for one (1) year immediately preceding such application.

"(3) Needy children who are actual bona fide citizens of Texas and are under the age of sixteen (16) years; provided that no such assistance shall be paid on account of any child over one (1) year old who has not continuously resided in Texas for one (1) year immediately preceding the application for such assistance, or on account of any

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child under the age of one (1) year whose mother has not continuously resided in Texas for one (1) year immediately preceding such application.

"The Legislature shall have the authority to accept from the Federal government of the United States such financial aid for the assistance of the needy aged, needy blind, and needy children as such government may offer not inconsistent with restrictions herein set forth; provided however, that the amount of such assistance out of State funds to each person assisted shall never exceed the amount so expended out of Federal funds; and provided further, that the total amount of money to be expended out of State funds for such assistance to the needy aged, needy blind, and needy children shall never exceed the sum of Forty-two Million (\$42,000,000.00) Dollars per year."

Should the Legislature enact enabling laws and provide an additional appropriation hereto in anticipation of the adoption of this amendment, such Acts shall not be invalid by reason of their anticipatory character.

The Legislature shall enact appropriate laws to make lists of the recipients of aid hereunder available for inspection.

Sec. 2. The foregoing Constitutional amendment shall be submitted to the qualified electors of Texas at a special election to be held throughout the State of Texas on the 2nd day of November, 1954, at which election there shall be printed on such ballot the following clause:

"FOR the Amendment to the Constitution giving the Legislature the power to set up a system of payments of old age assistance to those above sixty-five (65) years of age; provided that monthly payments from State funds to any one person may be in valid amounts based on need, that the maximum payment per month per person from State funds shall not be more than Twenty (\$20.00) Dollars per month; giving the Legislature the power to set up a system of payments for the needy blind persons over twenty-one (21) years of age; giving the Legislature the power to set up a system of payments to needy children under sixteen (16) years of age; providing for the expenditure of funds from the Federal government; limiting the total amount which may be expended for such assistance out of State funds; and providing conditions as to residence within the State in order to become eligible to receive assistance;" and

"AGAINST the Amendment to the Constitution giving the Legislature the power to set up a system of payments of old age assistance to those above sixty-five (65) years of age; provided that monthly payments from State funds to any one person may be in valid amounts based on need, that the maximum payment per month per person from State funds shall not be more than Twenty (\$20.00) Dollars per month; giving the Legislature the power to set up a system of payments for the needy blind persons over twenty-one (21) years of age; giving the Legislature the power to set up a system of payments to needy children under sixteen (16) years of age; providing for the expenditure of funds from the Federal government; limiting the total amount which may be expended for such assistance out of State funds; and providing conditions as to residence within the State in order to become eligible to receive assistance."

Sec. 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said election and have the same published and held as required by the Constitution and the laws of the State of Texas.

Passed the Senate, May 12, 1953: Yeas 26, Nays 2; adopted by the House, May 21, 1953: Yeas 101, Nays 13.

Approved June 8, 1953.